

MESSAGE NO: 3251112 MESSAGE DATE: 09/08/1993

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-213, A-570-214

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/07/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDER FOR COMPACT DUCTILE IRON WATERWORKS
(CDIW) FITTINGS AND GLANDS FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC)

MESSAGE NO: 3251112

DATE: 09 08 1993

CATEGORY: ADA

TYPE: ORD

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 213

A - 570 - 214

- -

- -

- -

- -

PERIOD COVERED: 09 07 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: ANTIDUMPING DUTY ORDER FOR COMPACT DUCTILE IRON WATERWORKS
(CDIW) FITTINGS AND GLANDS FROM THE PEOPLE'S REPUBLIC OF
CHINA (PRC)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON SEPTEMBER 7, 1993, THE NOTICE OF ITS ANTIDUMPING DUTY ORDER ON
CDIW FITTINGS AND GLANDS FROM THE PRC.

2. THE MERCHANDISE SUBJECT TO THIS ANTIDUMPING DUTY ORDER IS 1)
CERTAIN COMPACT DUCTILE IRON WATERWORKS FITTINGS OF 3 TO 16
INCHES NOMINAL DIAMETER REGARDLESS OF SHAPE, INCLUDING BENDS,
TEES CROSSES, WYES, REDUCERS, ADAPTERS, AND OTHER SHAPES, WHETHER

OR NOT CEMENT LINE, AND WHETHER OR NOT COVERED WITH BITUMEN OR SIMILAR SUBSTANCE, CONFORMING TO AMERICAN WATERWORKS ASSOCIATION/AMERICAN STANDARD INSTITUTE (AWWA)(ANSI) SPECIFICATION C153/A21.53, AND RATED FOR WATER WORKING PRESSURE OF 350 PSI.; AND 2) CERTAIN CDIW STANDARD DUCTILE IRON GLANDS FOR FITTINGS IN SIZES 3 TO 16 INCHES, CONFORMING TO AWWA/ANSI SPECIFICATION C111/A21.11, AND RATED FOR WATER WORKING PRESSURE OF 350 PSI. ALL ACCESSORY PACKS, INCLUDING ACCESSORY PACKS CONTAINING GLANDS, ARE EXCLUDED FROM THIS ORDER.

THE TYPES OF CDIW FITTINGS COVERED BY THIS ORDER ARE COMPACT DUCTILE IRON MECHANICAL JOINT WATERWORKS FITTINGS AND COMPACT DUCTILE IRON PUSH-ON JOINT WATERWORKS FITTINGS, BOTH OF WHICH ARE USED FOR THE SAME APPLICATIONS. CDIW FITTINGS ARE USED TO JOIN WATER MAIN PRESSURE PIPES, VALVES, OR HYDRANTS IN STRAIGHT LINES, AND CHANGE, DIVERT, DIVIDE, OR DIRECT THE FLOW OF RAW AND/OR TREATED WATER IN PIPING SYSTEMS.

CDIW FITTINGS ATTACH TO THE PIPE, VALVE, OR HYDRANT AT A JOINT AND ARE USED PRINCIPALLY FOR MUNICIPAL WATER DISTRIBUTION SYSTEMS. CDIW GLANDS ARE USED TO JOIN MECHANICAL JOINT CDIW FITTINGS TO PIPES.

CDIW FITTINGS WITH NOMINAL DIAMETERS GREATER THAN 16 INCHES, ARE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS ORDER. NONMALLEABLE CAST IRON FITTINGS (ALSO CALLED GRAY IRON FITTINGS) AND FULL-BODIED DUCTILE FITTINGS ARE ALSO SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS ORDER. NONMALLEABLE CAST IRON FITTINGS HAVE LITTLE DUCTILITY AND ARE GENERALLY RATED ONLY 150 TO 250 PSI. FULL-BODIED DUCTILE FITTINGS HAVE A LONGER BODY DESIGN THAN A COMPACT FITTING BECAUSE IN THE COMPACT DESIGN THE STRAIGHT SECTION OF THE BODY IS OMITTED TO PROVIDE A MORE COMPACT AND LESS HEAVY FITTING WITHOUT REDUCING STRENGTH OR FLOW CHARACTERISTICS. IN ADDITION, THE FULL-BODIED DUCTILE FITTINGS ARE THICKER WALLED THAN THE COMPACT FITTINGS. FULL-BODIED FITTINGS ARE MADE OF EITHER GRAY IRON OR DUCTILE IRON, IN SIZES OF 3 TO 48 INCHES, CONFORM TO AWWA/ANSI SPECIFICATION C110/C21.10, AND ARE RATED TO A MAXIMUM OF ONLY 250 PSI. IN ADDITION, COMPACT DUCTILE IRON

FLANGED FITTINGS ARE EXCLUDED FROM THE SCOPE OF THIS ORDER, AS

THEY HAVE SIGNIFICANTLY DIFFERENT CHARACTERISTICS AND USES THAN CDIW FITTINGS.

CDIW FITTINGS ARE CLASSIFIABLE UNDER SUBHEADING 7307.19.30.00, OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). STANDARD DUCTILE IRON GLANDS ARE CLASSIFIABLE UNDER HTSUS SUBHEADING 7325.99.10.00.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING CASE NUMBER: A-570-820. THIS NUMBER SHOULD BE USED WHEN DEALING WITH THE DEPARTMENT OF COMMERCE ONLY. FOR CUSTOMS IDENTIFICATION PURPOSES THE FOLLOWING NUMBERS SHOULD BE USED: A-570-213 (FITTINGS); A-570-214 (GLANDS).

4. THE INTERNATIONAL TRADE COMMISSION FOUND THAT A U.S. INDUSTRY IS THREATENED WITH MATERIAL INJURY BY REASON OF IMPORTS OF CDIW FITTINGS FROM THE PRC. HOWEVER, THE ITC STATED THAT IT WOULD NOT HAVE FOUND MATERIAL INJURY BUT FOR THE SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE UNDER INVESTIGATION. WHEN THE ITC FINDS THREAT OF MATERIAL INJURY, AND MAKES A NEGATIVE "BUT FOR" FINDING, THE "SPECIAL RULE" PROVISION OF SECTION 736(B)(2) APPLIES.

THE ITC ALSO DETERMINED THAT A U.S. INDUSTRY IS MATERIALLY INJURED BY REASON OF IMPORTS OF CDIW GLANDS FROM THE PRC THAT ARE SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE, BUT THEY DETERMINED THAT CRITICAL CIRCUMSTANCES DID NOT EXIST. THE ITC CONCLUDED THAT IMPORTS OF ACCESSORY PACKS, INCLUDING ACCESSORY PACKS CONTAINING GLANDS, DO NOT THREATEN TO MATERIALLY INJURE, MATERIALLY INJURE, OR MATERIALLY RETARD THE ESTABLISHMENT OF A U.S. INDUSTRY, AND THUS ARE EXEMPTED FROM ASSESSMENT OF ANTIDUMPING DUTIES.

5. REGARDING ALL IRON WATERWORKS FITTINGS, ALL UNLIQUIDATED ENTRIES FROM THE PRC ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR

CONSUMPTION ON OR AFTER AUGUST 25, 1993, THE DATE ON WHICH THE ITC PUBLISHED ITS NOTICE OF FINAL DETERMINATION OF THREAT OF MATERIAL INJURY, WILL BE LIABLE FOR THE ASSESSMENT OF ANTIDUMPING DUTIES. IN ADDITION, CUSTOMS OFFICERS SHALL TERMINATE THE SUSPENSION OF LIQUIDATION FOR ENTRIES OF FITTINGS IMPORTED FROM THE PRC AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION BEFORE AUGUST 25, 1993, AND RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT, POSTED TO SECURE THE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES WITH RESPECT TO THESE ENTRIES.

ALL UNLIQUIDATED ENTRIES REGARDING CDIW GLANDS FROM THE PRC ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

FEBRUARY 18, 1993, THE DATE ON WHICH THE DEPARTMENT PUBLISHED ITS PRELIMINARY DETERMINATION, WILL BE LIABLE FOR THE ASSESSMENT OF ANTIDUMPING DUTIES. CUSTOMS OFFICERS SHALL TERMINATE THE SUSPENSION OF LIQUIDATION FOR ENTRIES OF GLANDS IMPORTED FROM THE PRC AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

BEFORE FEBRUARY 18, 1993 AND RELEASE ANY BOND OR OTHER SECURITY, AND REFUND ANY CASH DEPOSIT, POSTED TO SECURE THE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES WITH RESPECT TO THESE ENTRIES.

REGARDING ACCESSORY PACKS, CUSTOMS OFFICERS SHALL TERMINATE THE SUSPENSION OF LIQUIDATION, RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT WITH RESPECT TO ENTRIES OF SUCH MERCHANDISE, AND LIQUIDATE ALL ENTRIES OF ACCESSORY PACKS WITHOUT THE ASSESSMENT OF ANTIDUMPING DUTIES.

CUSTOMS OFFICERS MUST REQUIRE, AT THE SAME TIME AS IMPORTERS WOULD NORMALLY DEPOSIT ESTIMATED DUTIES, THE FOLLOWING CASH DEPOSIT FOR THE SUBJECT MERCHANDISE:

MANUFACTURER/PRODUCER	ID NO.	WEIGHTED-AVERAGE
EXPORTER	MARGIN	PERCENTAGE

ALL MANUFACTURERS/PRODUCERS
EXPORTERS

FITTINGS A-570-213-000 127.38%

GLANDS A-570-214-000 127.38%

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE TRADE COMPLIANCE DIVISION, COUNTERVAILING/DUMPING BRANCH, CUSTOMS HEADQUARTERS VIA E-MAIL ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT KATE JOHNSON OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-4929.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party